

EV270268488US



PATENTS
Attorney Docket No. AAC/1 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Donald F. Albert et al.
Application No. : 09/972,163 Confirmation No.: 5897
Filed : October 4, 2001
For : ORGANIC OPEN CELL FOAM MATERIALS,
THEIR CARBONIZED DERIVATIVES, AND
METHODS FOR PRODUCING SAME
Group Art Unit : 1771
Examiner : Hai Vo

New York, New York 10020
February 26, 2004

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith:
[X] an Amendment and Reply to Office Action; Petition
Under 37 C.F.R. § 1.136(a) for Extension of Time (in
duplicate); [X] Express Mail Certification; and [X]
Postcard to be filed in the above-identified patent
application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.
[] A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	227	-314 = 0	X \$ 9	= \$ 0.00
INDEPENDENT CLAIMS	5	- 3 = 0	X \$ 43	= \$ 0.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM			+ \$145	= \$ 0.00
TOTAL				\$ <u>0.00</u>

- ☐ A check in the amount of \$_____ in payment of the filing fee is transmitted herewith.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- ☐ Please charge \$_____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[X] The following extension is applicable to the Response filed herewith; [] \$55.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$210.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [X] \$475.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [] \$740.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); [] \$1,005.00 extension fee for response within fifth month pursuant to 37 C.F.R. § 1.136(a).

[X] A check in the amount of [] \$55.00; [] \$210.00; [X] \$475.00; [] \$740.00; [] \$1,005.00 in payment of the extension fee is transmitted herewith.

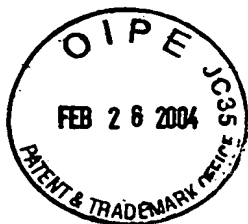
[X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge the [] \$55.00; [] \$210.00; [] \$475.00; [] \$740.00; [] \$1,005.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.



Pablo D. Hendler (Reg. No. 40,015)
Denise Bergin (Reg. No. 50,581)
Attorneys for Applicants
Nina R. Horan (Reg. No. 47,662)
Agent for Applicants

FISH & NEAVE
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1104
Tel.: (212) 596-9000
Fax: (212) 596-9090



EV270268488US

03-01-04
Innall

1771 \$

PATENTS
Attorney Docket No. AAC/1 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

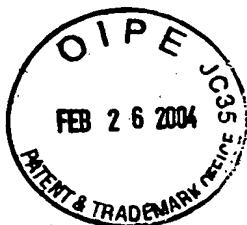
Applicants : Donald F. Albert et al.
Application No. : 09/972,163 Confirmation No. : 5897
Filed : October 4, 2001
For : ORGANIC OPEN CELL FOAM MATERIALS, THEIR
CARBONIZED DERIVATIVES, AND METHODS FOR
PRODUCING SAME
Group Art Unit : 1771
Examiner : Hai Vo
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

"EXPRESS MAIL" mailing label number EV270268488US
Date of Deposit: February 26, 2004

I hereby certify that this paper/fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Claire J. Saintil-van Goodman

- [X] Transmittal Letter (in duplicate);
- [X] Petition Under 37 C.F.R. § 1.136(a) for Extension of Time (in duplicate);
- [X] Check in the amount of \$475.00;
- [X] Amendment and Reply to Office Action; and
- [X] Postcard.



EV270268488US

PATENTS
Attorney Docket No. AAC/1 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants : Donald F. Albert et al.
Application No. : 09/972,163 Confirmation No. : 5897
Filed : October 4, 2001
For : Organic Open Cell Foam Materials, Their Carbonized
Derivatives, and Methods for Producing Same
Group Art Unit : 1771
Examiner : Hai Vo

New York, New York 10020
February 26, 2004

Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT AND REPLY TO OFFICE ACTION

Sir:

This is in response to the August 27, 2003 Office Action in the above-identified application. Applicants submit concurrently herewith a Petition under 37 C.F.R. § 1.136(a) and the fee required under 37 C.F.R. § 1.17 (a)(3) to extend the time for filing this reply for three months up to and including February 27, 2004. Kindly amend the application as follows:

AMENDMENTS TO THE CLAIMS are reflected in the Listing of Claims that begins on page 2 of this paper.

REMARKS begin on page 17 of this paper